



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,581	01/06/2006	Horst Vestweber	40515.0001USWO	3223

23416 7590 06/18/2010  
CONNOLLY BOVE LODGE & HUTZ, LLP  
P O BOX 2207  
WILMINGTON, DE 19899

EXAMINER
----------

WILSON, MICHAEL H

ART UNIT	PAPER NUMBER
----------	--------------

1786

MAIL DATE	DELIVERY MODE
-----------	---------------

06/18/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10563581	1/6/2006	VESTWEBER ET AL.	40515.0001USWO

CONNOLLY BOVE LODGE & HUTZ, LLP  
P O BOX 2207  
WILMINGTON, DE 19899

**EXAMINER**

CALLIE E.. SHOSHO

ART UNIT	PAPER
1787	20100610

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

**DECISION ON PETITION**

This is a decision on the petition filed 7/30/07 to correct inventorship under 37 CFR 1.48(a). It is noted that such correction of the inventorship requires (1) a request to correct the inventorship that sets forth the desired inventorship change; (2) a statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part; (3) an oath or declaration by the actual inventor or inventors as required by § 1.63 or as permitted by §§ 1.42, 1.43 or § 1.47; (4) the processing fee set forth in 1.17(i); and (5) the written consent of the assignee under 37 CFR 3.73(b).

While applicants have met requirements (1), (2), and (4) as set forth above, applicants have not met requirements (3) and (5). Specifically, while a declaration by the actual inventors was filed, the declaration is not proper given that the name of one inventor is incorrect. The declaration discloses inventor name "Philipp Stoessel" and not "Philipp Stöbel" (see page 1 of the Request to Correct Inventorship as well as the statement from the inventor which both refer to inventor Stöbel not Stoessel). Further, while there is a written consent of the assignee as required under 37 CFR 3.73(b), the consent also refers to inventor name "Philipp Stoessel" and not "Philipp Stöbel".

The petition is DENIED.

/Callie E. Shosho/  
Supervisory Patent Examiner, Art Unit 1787